

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 13 - SB 187

March 8, 2021

**SUMMARY OF ORIGINAL BILL:** Prohibits a law enforcement agency or governmental entity of this state or a local government, or the Governor or chief executive of a local government by executive order, from forcing, requiring, or coercing a person to receive an immunization or vaccination for COVID-19 against the person's will.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (004462):** Deletes and rewrites all language after the enacting clause such that the only substantive change establishes that the vaccination prohibition does not apply to hospitals licensed under Tenn. Code Ann. Titles 68 and 33, when the hospital is engaged in a vaccination program for employees or individuals who have privileges at the hospital to provide services to patients of the hospital.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The U.S. Supreme Court issued a ruling in February 20, 1905, *Jacobson v. Massachusetts*, upholding the right of states to compel vaccination.
- Each state decides which vaccines are required based on recommendations from the Centers for Disease Control and Prevention Advisory Committee on Immunization Practices (ACIP).
- Immunization or vaccination for COVID-19 is currently not required by any state or local governmental entity in Tennessee. Prohibiting any such future requirement will not result in a significant fiscal impact to the state or local government.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive, flowing style.

Bojan Savic, Interim Executive Director

/lm